

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JOHN E. COLLINS, JR. a/k/a JAKE E.
COLLINS, JR., an individual,

Plaintiff,

v.

NOVA ASSOCIATION MANAGEMENT
PARTNERS, LLC, a Washington limited
liability company, SOUND LEGAL
PARTNERS, LLC, a Washington limited
liability company; RACHEL RAPP
BURKEMPER, an individual; VILLA
MARINA ASSOCIATION OF
APARTMENT OWNERS, a Washington
condominium association,

Defendants.

Case No.: 2:20-cv-01206-JCC

DECLARATION OF KATIE J.
COMSTOCK IN SUPPORT OF
DEFENDANTS' OPPOSITION TO
PLAINTIFF'S MOTION TO
DISQUALIFY DEFENSE COUNSEL

I, Katie J. Comstock, declare as follows:

1. I am over the age of 18, have personal knowledge of the facts and statements
contained in this declaration, and am otherwise competent to make this declaration.

2. I am a partner at Levy | von Beck | Comstock, P.S.

3. I received a telephone inquiry from John Collins on or about May 14, 2020.

Mr. Collins briefly talked about hiring my firm to represent him in a dispute with a
homeowners' association.

DECLARATION OF KATIE J. COMSTOCK IN SUPPORT OF
DEFENDANTS' OPPOSITION TO PLAINTIFF'S MOTION TO
DISQUALIFY DEFENSE COUNSEL - 1
(Case No. 2:20-cv-01206-JCC)

LEVY | VON BECK | COMSTOCK | P.S.
1200 Fifth Ave., Suite 1850
Seattle, Washington 98101
Main/Fax: 206-626-5444

1
2 4. I did not recall any conversation with Mr. Collins, but after searching for any
3 records relating to Mr. Collins, I located what I believe to be notes from an inquiry regarding
4 potential representation conversation.

5 5. My notes reference Mr. Collins' having a fee dispute with a homeowners'
6 association, an argument regarding late fees, and a lawsuit that occurred sometime in the
7 past.

8
9 6. I took the following notes verbatim:

10 Villa Marina -

Fee Dispute

11 Started five years ago, brought up old "late fees" and they said they will drop it
and emails him and says they won't

12 But 3 or 4 months later sends a collection threat

They sued him, he paid them \$12k

13 Nathan Arnold - Attorney

14 Helga Carr referred him

15 \$5,000 retainer

16 7. My notes reflect that Mr. Collins knew he was already represented by
17 counsel, Mr. Arnold, relating to the dispute. Aside from my notes, I have no recollection
18 concerning the substance of my brief conversation with Mr. Collins. I do not have any
19 information that Mr. Collins supposedly disclosed to me that could potentially be harmful to
20 Mr. Collins.
21

22 8. On a typical business day, I receive between two to eight telephone or email
23 inquiries like the one Mr. Collins made.
24
25

1
2 9. I typically advise anyone who makes an inquiry regarding potential
3 representation that I cannot provide legal advice until I have the opportunity to review their
4 documents.

5 10. My typical practice is also to tell anyone making an inquiry into potential
6 representation that I cannot represent them until my office conducts a conflicts check and
7 until the party seeking representation signs a representation agreement and pays a retainer
8 fee.

9
10 11. I explained my firm's typical billing practices and my hourly rate.

11 12. I never spoke to Mr. Collins after his telephone inquiry.

12 13. I did not have ongoing discussions with Mr. Collins about hiring my firm to
13 represent him.

14 14. I am not one of the attorneys handling or involved with the state and federal
15 court actions between Mr. Collins and Defendants. I do not have access to the case file
16 concerning these actions, and I do not discuss these actions with the attorneys handling them.
17 Neither I nor my firm have ever represented Mr. Collins.

18
19 I declare under penalty of perjury under the laws of the State of Washington that the
20 foregoing is true and correct.

21
22 DATED this 26th day of October, 2020 at Seattle, Washington.

23 /s/ Katie J. Comstock
24 Katie J. Comstock, WSBA No. 40637
25